



06-22-05

DAC #
#136145

PTO/SB/21 (09-04)

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/965,667
Filing Date	September 26, 2001
First Named Inventor	Thompson, Mark
Art Unit	3624
Examiner Name	Patel, Jagdish
Attorney Docket Number	020375-003500US

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition for Revival of An Application for Patent Abandoned Unintentionally <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Notice of Appeal; Appeal Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Communication Return Postcard
<input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)		
<input type="checkbox"/> Extension of Time Request		
<input type="checkbox"/> Express Abandonment Request		
<input type="checkbox"/> Information Disclosure Statement		
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	Patrick M. Boucher		
Date	June 20, 2005	Reg. No.	44,037

CERTIFICATE OF TRANSMISSION/MAILING

Express Mail Label: EV 470766934 US

I hereby certify that this correspondence is being deposited with the United States Postal Service with "Express Mail Post Office to Address" service under 37 CFR 1.10 on this date June 20, 2005 and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Typed or printed name

Nina L. McNeill

Date

June 20, 2005



"Express Mail" Label No. EV470766934US
Date of Deposit June 20, 2005

PATENT
Docket No.: 020375-003500US

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Address" service under 37 CFR 1.10 on the date indicated above and is addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By: Nina L. McNeill

Nina L. McNeill

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Mark Thompson

Application No.: 09/965,667

Filed: September 26, 2001

For: SYSTEMS AND METHODS TO
FACILITATE PAYMENT FOR
SHIPPED GOODS

Examiner: Patel, Jagdish

Art Unit: 3624

COMMUNICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant previously filed an Appellant Brief on July 7, 2004 in support of what had been believed to be a properly filed Notice of Appeal on May 7, 2004. It appears that the Office received the Appellant Brief but not the Notice of Appeal and the application accordingly stands abandoned.

A Petition to Withdraw Holding of Abandonment was filed on January 6, 2005, but was dismissed. A Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. 1.137(b) is accordingly submitted concurrently herewith. It is accompanied by a Notice of Appeal and a substitute Appeal Brief. The previous Brief filed on

Mark Thompson
Application No.: 09/965,667
Page 2

PATENT

July 7, 2004 was prepared according to the rules then in effect governing practice before the Board of Patent Appeals and Interferences. Since new rules governing such practice have since been promulgated, the substitute Appeal Brief has been prepared in accordance with the new rules.

It is believed that any fee applied for payment in connection with the July 7, 2004 Appellant Brief should be applied to the current filing. Should the Office disagree, however, it is authorized to charge the entire current fee of \$500 for filing an Appeal Brief to Deposit Account No. 20-1430.

Respectfully submitted,


Patrick M. Boucher
Reg. No. 44,037

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
PMB:nlm60519548 v1